



NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY
WESTERN DISTRICT OF MISSOURI

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FOR IMMEDIATE RELEASE

COLOMBIAN MAN INDICTED FOR MURDER, FOUR CO-DEFENDANTS ALSO INDICTED FOR COCAINE CONSPIRACY

KANSAS CITY, Mo. – Todd P. Graves, United States Attorney for the Western District of Missouri, announced that five defendants were indicted by a federal grand jury today for participating in a conspiracy to distribute cocaine in the Kansas City area. One of those defendants is also charged with a 1998 murder.

Edwin R. Hinestroza, 34, **Fabio Montano**, 33, **Shelley Valdora Anderson**, 36, and **Airton Mosquera**, 35, all of Houston, Texas, and **Percy L. Smith**, 43, with addresses in both Kansas City, Mo., and Kansas City, Kan., were charged in a four-count superseding indictment returned by a federal grand jury in Kansas City. **Hinestroza**, **Montano** and **Mosquera** are citizens of Colombia.

Today's superseding indictment, Graves explained, replaces an indictment returned by a federal grand jury on Nov. 18, 2003. The charges contained in the indictment remain the same. Today's indictment includes an additional Notice of Special Findings related to the murder charges against **Hinestroza**, which is required in cases where the government may seek the death penalty. A decision has not yet been made, Graves said, as to whether the government will seek the death penalty against **Hinestroza**.

Count One of the federal indictment alleges that all five defendants participated in a conspiracy to distribute five kilograms or more of cocaine between January 1996 and Nov. 29, 1998.

Hinestroza is the only defendant charged in the remaining three counts of the federal indictment. According to the indictment, **Hinestroza** has remained a fugitive from justice for more than five years. When he was arrested in Memphis, Tenn., on Feb. 3, 2004, the indictment alleges, he was still in the business of trafficking narcotics. At the time of his arrest, **Hinestroza**

was in possession of more than eight kilograms of cocaine, 30 ounces of heroin, \$81,000 in cash and a semi-automatic handgun.

Count Two of the federal indictment alleges that **Hinestroza** used a firearm in relation to a drug-trafficking crime, as alleged in Count One, and in so doing committed murder. **Hinestroza** allegedly killed Julian Colon. Colon, a 23-year-old Colombian national who resided in Overland Park, Kan., was killed on Nov. 28, 1998. Police officers were dispatched to Menorah Medical Center, 5721 W. 119th St. in Overland Park, on that date to investigate Colon's body, which was found lying in the back seat of a car. Colon sustained an apparent gunshot wound to the head, and his hands, feet, mouth and eyes were bound with duct tape, according to an affidavit filed in support of the original criminal charge filed against **Hinestroza**.

Count Three of the federal indictment alleges that **Hinestroza** crossed the state line from Missouri to Kansas, and caused Colon to cross the state line, with the intent that a murder be committed, offering a payment of \$3,000 for the murder of Colon.

Count Four of the federal indictment is a forfeiture count, which would require **Hinestroza** to forfeit to the government any property derived from the proceeds of the violations alleged in the indictment, or used to commit those violations, including the net proceeds from the sale of a 1998 BMW and a 1997 Toyota 4Runner.

Graves cautioned that the charges contained in the indictment are simply accusations, and not evidence of guilt. Evidence supporting the charges must be presented to a federal trial jury, whose duty is to determine guilt or innocence.

This case is being prosecuted by Assistant U.S. Attorneys Jeff Valeni, Gregg R. Coonrod and Kathleen D. Mahoney. It was investigated by the Federal Bureau of Investigation, the Kansas City, Mo., Police Department and the Overland Park, Kan., Police Department.

This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at

www.usdoj.gov/usao/mow